



## INTERIOR BOARD OF INDIAN APPEALS

Patrick Patencio, et al. v. Deputy Assistant Secretary - Indian Affairs (Operations)

14 IBIA 120 (05/21/1986)

Denying reconsideration of:  
14 IBIA 92



# United States Department of the Interior

OFFICE OF HEARINGS AND APPEALS  
INTERIOR BOARD OF INDIAN APPEALS  
4015 WILSON BOULEVARD  
ARLINGTON, VA 22203

PATRICK PATENCIO, et al.,  
Appellants

v.

DEPUTY ASSISTANT SECRETARY--  
INDIAN AFFAIRS (OPERATIONS),  
Appellee

: Order Denying Reconsideration  
:  
:  
: Docket No. IBIA 85-31-A  
:  
:  
: May 21, 1986

On April 4, 1986, the Board of Indian Appeals (Board) issued a decision in the above case. 14 IBIA 92 (1986). On May 12, 1986, the Board received a petition for reconsideration of that decision from appellants.

Reconsideration of appeals by the Board is governed by 43 CFR 4.315, which states in pertinent part: "Reconsideration of a decision of the Board will be granted only in extraordinary circumstances. \* \* \* The petition \* \* \* shall contain a detailed statement of the reasons why reconsideration should be granted." The present petition essentially repeats the arguments raised in the initial appeal, and demonstrates appellants' dissatisfaction with the decision reached. All of the arguments were considered in the Board's initial decision. Mere dissatisfaction with the outcome of litigation is not the type of extraordinary circumstances contemplated in 43 CFR 4.315.

Therefore, pursuant to the authority delegated to the Board of Indian Appeals by the Secretary of the Interior, 43 CFR 4.1, appellants' petition for reconsideration is denied.

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Jerry Muskrat  
Administrative Judge

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Wm. Philip Horton  
Acting Chief Administrative Judge